

Stephen L. Simonton

STEPHEN L. SIMONTON

Cody, Wyoming 82414-3594

January 11, 2007

Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Via Over Night Delivery

Re: MUR 5889

Dear Mr. Jordan:

I am in receipt of your letter dated December 20, 2006, regarding case # MUR 5889. Your letter was not received in my office until December 29, 2006. There was a severe snow storm in Denver which shut Denver International Airport down for several days, and has delayed delivery of mail in our area. Upon receipt of your letter, and believing that a response was due in 15 days from the date of the letter, my office called Kim Collins. Ms. Collins informed us that the 15 days response time did not start until receipt of the letter, or in our case, until December 29, 2006.

To better understand our circumstances, I would like to give you a brief history of our intent and actions. We decided belatedly to initiate a campaign against the reelection of Barbara Cubin, the incumbent member of House of Representative from Wyoming. This was done after the Wyoming Primary election on August 22, 2006. We checked with a friend who is familiar with state-wide campaigns, as she has been involved in several and was responsible for filing reports in those campaigns. She did not know (and we did not figure it out in a timely manner) that because Cubin was running for the U.S. House of Representatives, there are Federal filing requirements in addition to State filing requirements. Our organization is called "Republicans for Trauner." Gary Trauner was running against Barbara Cubin. Our organization was totally independent of Mr. Trauner's campaign and organization.

Before beginning our political action committee activity, we properly filed a "Statement of Formation by Political Action Committee" on September 9, 2006, with the Secretary of State for the State of Wyoming (copy attached). We also filed our "Statement of Receipts and Expenditures for Republicans for Trauner PAC" on October 27, 2006, and our final report on November 15, 2006 (copies attached). We were not aware of our

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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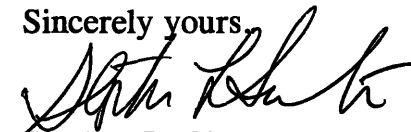
obligation to file with the Federal Election Commission for our committee.

On November 1, 2006, I learned, through a newspaper reporter who had studied various financial reports following the filing deadline, that we may also need to file with the Federal Election Commission. He mentioned he had not seen our report. He thought we needed to be filing one at the Federal level in addition to the State report because Cubin was running for a Federal office.

We quickly checked and discovered that he was right. We were required to file and report to the Federal Election Commission. On that very same day (November 1, 2006), we called and spoke with one of the FEC personnel at the toll free number of the Federal Election Commission. We explained the situation, and she indicated that while we should have filed earlier, we could remedy the situation by filing the necessary documents as soon as possible. She gave us reference to the information and forms on the website. We prepared and sent by overnight delivery the documents she advised, and on November 2, 2006, your office received and filed our Form 1, "Statement of Organization" to establish "Republicans for Trauner" as a qualified political action committee. On November 2, 2006, we filed our Form 5, "Report of Independent Expenditures Made and Contributions Received" with the Commission, again by overnight mail, which was received by your office on November 3, 2006. Since November 3, 2006, we have filed Form 3 with your office on December 4, 2006, to report our additional expenditures.

The failure to initially file and to submit Form 5 arose from our ignorance of the Federal requirements and our ignorance that our political effort would bring us within the Federal Election Commission's rules. Although we complied timely with the State of Wyoming requirements, we failed to file timely as a PAC with the FEC. As soon as we discovered our mistake, however, we contacted your office and quickly complied with all requirements as instructed by your personnel and the references on the website. I believe that all information to be reported was reported to the Wyoming Secretary of State's office and could have easily been sent on to the FEC by the deadline had we known of that obligation. We are embarrassed to have not figured out the FEC jurisdiction more timely, and apologize.

Sincerely yours,



Stephen L. Simonton

SLS/kaa

Encl. Documents filed with Wyoming Secretary of State
Z \TRAUNER\FEC01 LTR

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STATEMENT OF FORMATION BY POLITICAL ACTION COMMITTEE
W.S. 22-25-101(b)

This form can be accessed on the Secretary of State's WEBSITE at:
<http://soswy.state.wy.us/election/forms.htm>

Name of Committee (in full) Republicans for Trauner PAC

Mailing Address P O. Box 585 Phone (307) 272-1068
Thermopolis, WY 82443

E-mail Address _____
Website republicansfortrauner.com

Date Committee Formed September 6, 2006

Name of Chairman	(Must be separate individuals)	Name of Treasurer
<u>J Nichols Patrick</u>		<u>Roger Shanor</u>
<u>2113 Southfork Road</u>	Residence Address	<u>1311 Hwy 20S, Thermopolis, WY 82443</u>
<u>2113 Southfork Road</u>	Mailing Address	<u>P O. Box 585, Thermopolis, WY 82443</u>
<u>(307) 587-7355</u>	Phone	<u>(307) 272-2443</u>

Complete the Appropriate Statement:

☒ Committee formed to ~~support~~ oppose the following candidate:
Name and Party Affiliation Republican Barbara Cubin
Office Sought U S House Representative for State of Wyoming

_____ Committee formed to support candidates who support the following issues: _____

_____ Committee formed after an election to defray campaign expenses for the following candidates.

_____ Committee formed for the adoption or defeat of the following ballot propositions: _____

_____ Committee formed for the support of, or opposition to, the following initiative or referendum petition drive.

I certify that I have examined this statement, and to the best of my knowledge and belief, it is true, correct and complete

Signature of Chairman or Treasurer

Date

02/2006
pacform

For Office Use Only

Statement covers period
From: 9/1/2006
To: 10/25/2006

Type of Report: (Check One)
Primary Report - September 1, 2006 _____
General Report - November 17, 2006 XX
Special Election _____
Amendment _____

Check here if you are terminating the committee with this report _____
NOTE: A committee must have retired all debts before terminating. W.S. 22-25-106 (b)

Name of Committee Republicans for Trauner PAC
Mailing Address PO Box 585
City Thermopolis State WY Zip 82443 Phone 307-272-1068

Summary for this filing period:

A. Receipts


1. Contributions from Individuals (page 2)	\$ <u>20,270.00</u>
3. Contributions from other PACs (page 3)	\$ <u>0.00</u>
4. Contributions from Political Parties (page 3)	\$ <u>0.00</u>
5. Anonymous Contributions (page 4)	\$ <u>0.00</u>
6. In-Kind Contributions (page 4)	\$ <u>0.00</u>
7. Loans (page 5)	\$ <u>0.00</u>
8. Unitemized receipts (page 5)	\$ <u>0.00</u>

(Unitemized receipts are defined as contributions less than \$25)

B. Total Receipts for this Filing Period (Sum of A1-A8) \$ 20,270.00

C. Total Expenditures for this Filing Period (page 6) \$ 17,481.12

I certify that I have examined this statement, and to the best of my knowledge and belief, it is true, correct and complete.


Signature of Chairman (Required)

10/27/06
Date


Signature of Treasurer (Required)

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Loans/Obligations

Date

Amount

None

Unitemized Receipts (Receipts under \$25.00. For example, you have a chili supper. Tickets are \$10.00 each and you sell 500 tickets. You may report these in aggregate here by reporting \$5,000.00).

Event (if applicable)

Date

Amount

None

Expenditures

Name	Address (City, State & Zip)	Purpose	Date	Amount
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Please see Exhibit B.

Total Expenditures \$17,481.12

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EXHIBIT A

All contributors 9/1/2006 through 10/25/2006

Contributor Name	September	October
Andersen, Kathy PO Box 492 Powell, WY 82435		\$500 00
Armstrong, D. Geoff 4391 Michaels Cove Austin, TX 78746	\$500.00	
Birgenheier, Robert M PO Box 492 Powell, WY 82435		\$25.00
Dumbrill, R. Douglas P.O Box 1028 Gillette, WY 82717		\$25 00
Farkas, Andrew L. P.O. Box 1417 Greenville, SC 29602	\$4,600 00	
Goton, Lesa Young P O Box 132 Shell, WY 82441		\$25.00
Hermann, Jan R 1214 Birch Lane Cody, WY 82414		\$100.00
Heathy, Hayden 40 S Main St Sheridan, WY 82801		\$50.00
Jerger, Karen M 1190 Haysled Dr Jackson, WY 83001		\$50.00
Jern, Kenneth PO Box 11000 Jackson, WY 83002		\$75 00
Kwiecinski, Eric F 453 Hamiton Way Powell, WY 82435		\$25.00
Lamberson, Bruce PO Box 901 Casper, WY 82602		\$100 00

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Morris, Bob Latin Teacher Journeys School Teton Village, WY 83025	\$5,000.00	\$5,000.00
Lind, Kevin F. 2185 Pima Dr. Sheridan, WY		\$200.00
Morton, Michael A Box 305 Big Horn, WY 82833		\$100 00
Muller, Janice N 429 East 8th Powell, WY 82435		\$25.00
Palmer, Richard PO Box 4158 Jackson, WY 83001		\$50.00
Ridgeway, Elizabeth PO Box 732 Wilson, WY 83014		\$200.00
Rocky Mountain, Inc 2113 Southfork Road Cody, WY 82414		\$150.00
Shanor, Roger PO Box 585 Thermopolis, WY		\$250 00
Simonton, Stephen L 1222 11th Street Cody, WY 82414	\$ 1,200 00	
Spears, Jerry L PO Box 143 Laramie, WY 82073		\$20.00
G L Spence PO Box 548 Jackson, WY 83001		\$500.00
Spence, Kent PO Box 1489 Wilson, WY 83014		\$500 00
Strook, Thomas F PO Box 2875 Casper, WY 82602	\$1,000.00	
	Total	\$20,270 00

Exhibit B lists all expenditures for November 12, 2004 - December 15 2005

*******Venders *******

	<u>Dates</u>	<u>Amount</u>
Bank of Wyoming P O. Box 1232 Thermopolis, WY 82443	10/5/2006	\$8.00
Sheridan Press Sheridan, WY 82801	10/9/2006	\$250.00
Cody Enterprise 1549 Sheridan Avenue Cody, WY 82414	10/12/2006	\$1,200.00
Snowy Range Graphics 302 Second Street, Suite 208 Laramie, WY 82070	10/25/2006	\$260.00
A.M.B.I. P.O Box 2951 Casper, WY 82602	10/25/2006	\$15,771.12
Total		\$17,481.12

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For Office Use Only

Statement covers period
From: Oct 26, 2006
To: Nov 8, 2006

Type of Report: (Check One)
Primary Report - September 1, 2006 XX
General Report - November 17, 2006 XX
Special Election
Amendment

Check here if you are terminating the committee with this report

NOTE: A committee must have retired all debts before terminating. W.S. 22-25-106 (b)

Name of Committee Republicans for Trauner PAC
Mailing Address PO Box 585
City Thermopolis State WY Zip 82443 Phone 307-272-1068

Summary for this filing period:

A. Receipts

1. Contributions from Individuals (page 2)	\$ <u>7,091.00</u>
3. Contributions from other PACs (page 3)	\$ <u>0.00</u>
4. Contributions from Political Parties (page 3)	\$ <u>0.00</u>
5. Anonymous Contributions (page 4)	\$ <u>0.00</u>
6. In-Kind Contributions (page 4)	\$ <u>0.00</u>
7. Loans (page 5)	\$ <u>0.00</u>
8. Unitemized receipts (page 5)	\$ <u>0.00</u>

(Unitemized receipts are defined as contributions less than \$25)

B. Total Receipts for this Filing Period (Sum of A1-A8) \$ 7,091.00

C. Total Expenditures for this Filing Period (page 6) \$ 9,133.40

I certify that I have examined this statement, and to the best of my knowledge and belief, it is true, correct and complete.


Signature of Chairman (Required)

Date

11/15/06


Signature of Treasurer (Required)

Contributions from Individuals (Contributions from corporations, unions, partnerships and associations are prohibited. Contributions from sole proprietorships are legal, but must be identified as such).

Name	Address (City, State & Zip)	Date	Amount
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Please see Exhibit A.

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Contributions from Political Action Committees

Name (Identify by Full Name)	Address (City, State & Zip)	Date	Amount
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None.

Contributions from Political Party Central Committees

Name	Address (City, State & Zip)	Date	Amount
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None.

Anonymous Contributions

Anonymous contributions are those contributions whose origins cannot be determined, i.e., "pass the hat" contributions. An anonymous contribution **does not** mean a contributor may donate to the candidate or PAC with the understanding the contributor's name will not be reported.

Event	Date	Amount
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None

I do not know, nor can I ascertain, the origin of the above anonymous contributions.


Chairman or Treasurer

In-Kind Contributions

Name	Address (City, State & Zip)	Date	Description of Contribution	Value or Amount
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None

Loans/Obligations

Date

Amount

None

Unitemized Receipts (Receipts under \$25.00. For example, you have a chili supper. Tickets are \$10.00 each and you sell 500 tickets. You may report these in aggregate here by reporting \$5,000.00).

Event (if applicable)

Date

Amount

None

Expenditures

Name	Address (City, State & Zip)	Purpose	Date	Amount
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Please see Exhibit B.

Total Expenditures \$9,133.40

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EXHIBIT A

All contributors 10/26/2006 through 11/8/2006

October 26 - November 8.

October

November

Andrew, Twyla W
1907 Heart Mtn St.
Cody, WY 82414

\$100 00

Buchenroth, Felix
PO Box 94
Wilson, WY 83014

\$100 00

Dallinger, Bonnie
PO Box 152
Wapiti, WY 82450

\$30.00

Darby, John C
1192 Sheridan Ave
Cody, WY 82414

\$500 00

Davis, Jim, 73 Green Creek Rd
Cody, WY 82414

\$100 00

Grumio, David
6 Prrott St.
Dallejo, CA 94590

\$1,000.00

Mangus
Manjuf, Que
1139 Rumsey Avenue
Cody, WY 82414

\$100 00

Owens, Wendy S
1414 Bon Ave
Casper, WY

\$20 00

Plum, Judy
170 West River Road
Worland, WY 82401

\$100.00

Rea, Bayard D
5200 Yesness Lane
Casper, WY 82604

\$100 00

Resor, Story Clark
4445 Moose Wilson Road
Wilson, WY 83014

\$1,750.00

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Ruble, Brad \$150 00
PO Box 1123
Cody, WY 82414

Rumsey, Charles C \$500 00
PO Box 304
Meeteetse, WY 8243

Rush, Kay C. \$50.00
PO Box 1324
Thermopolis, WY 82443

Silberberg, Gary \$200 00
PO Box 11458
Jackson, WY 83002

Simonton, Stephen L. \$500 00
1222 11th Street \$250 00
Cody, WY 82414

Stinson, Laurence \$200 00
PO Box 1304
Cody, WY 82414

Torrey, Peter J \$95 00
49 Wall St
Cody, WY 82414

Tollefson, Ann \$250 00
231 E. 10th Street
Casper, WY 82601

Treeline Marketing, Inc. \$696 00
PO Box 2962
Jackson, WY 83001

Wiedmann, AMC \$50 00
318 S Cleaveland St.
Laramie, WY 82070

Winsor, John B. \$250 00
4300 randall Rd
Cody, WY 82414


 \$1,325 00 \$5,766 00
Total \$7,091 00

Exhibit B lists all expenditures for October 26 - November 8, 2006

*****Venders*****	<u>Dates</u>	<u>Amount</u>
Cowboy News Network 1806 Capitol Avenue Cheyenne, WY 82001	10/27/2006	\$3,980.00
KVOW Radio 603 East Pershing Riverton, WY 82501	10/27/2006	\$200 00
Big Horn Radio Network 1949 Mountain View Drive Cody, WY 82414	10//27/2006 11/3/2006	\$1,000.00 \$900 00
Casper Star Tribune	11/3/2006	\$1,238 40
Jackson Hole News & Guide PO Box 7445 Jackson, WY 83002	11/3/2006	\$696 00
Billings Gazette	11/3/2006	\$849.00
Bagme/Quade Media Servies 197 Beck Ave Cody, WY 82414	11/8/2006	\$270.00
		\$9,133.40

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